

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

In Re: SOUTHERN MISSISSIPPI FUNERAL  
SERVICES, LLC

CHAPTER 11  
NO: 18-51483-KMS

APPLICATION OF DEBTOR FOR  
APPROVAL OF EMPLOYMENT OF COUNSEL

COMES NOW, SOUTHERN MISSISSIPPI FUNERAL SERVICES, LLC, the Debtor in the above styled and numbered cause, and files this his Application of Debtor for Approval of Employment of Counsel seeking the retention of Patrick A. Sheehan and the firm of Sheehan Law Firm, PLLC (collectively, "Sheehan"), as counsel for the Debtor pursuant to 11 U.S.C. §1107(a) and would show unto the Court the following, to wit:

1. On or about July 31, 2018, SOUTHERN MISSISSIPPI FUNERAL SERVICES, LLC (the "Debtor") filed a voluntary petition under Chapter 11 of the Bankruptcy Code. Since that time, the Debtor continued to operate its business as debtor-in-possession pursuant to §§1107 and 1108 of the Bankruptcy Code.
2. Pursuant to Section 1107 of the Bankruptcy Code, the Debtor is entitled to select and authorize the employment of attorneys to represent him.

Proposed Attorney for the Debtor

3. In connection with the performance of its duties and obligations, the Debtor wishes to employ Sheehan to serve as general counsel.

Reason for Selection of Sheehan

4. The Debtor believes that this bankruptcy case involves numerous issues that will require him to retain counsel having special skill and expertise in bankruptcy matters. To that end, the Debtor sought counsel who (i) is willing to undertake this representation, (ii) has sufficient expertise and

capacity to handle the numerous and potentially complex issues that will be raised and addressed, and  
 (iii) does not have a conflict of interest in representing the Debtor in this case.

5. The Debtor has selected Sheehan because Mr. Sheehan and his staff have had considerable experience in bankruptcy matters, and does not have any conflict in interest with the Debtor. In light of such experience, the Debtor believes that Sheehan is especially well-qualified to render the necessary legal services for the Debtor.

**Proposed Arrangement for Compensation**

6. Sheehan has agreed to represent the Debtor in this case and to be compensated through the fee application and approval process mandated by the Bankruptcy Code.

7. The attorney and para-professionals who will have the primary responsibility for this case, and their hourly billing rates, are as follows:

Patrick A. Sheehan	\$300.00
Paralegals	\$125.00

8. The Debtor is informed that Sheehan Law Firm, PLLC may adjust the hourly billing rates of its attorney and para-professionals from time to time. If any adjustments in hourly billing rates occur during Sheehan's representation of the Debtor, those adjustments will be disclosed to the Debtor, this Court and the Debtor's creditors. The Debtor believes that Sheehan Law Firm, PLLC's hourly rates are reasonable.

9. The Debtor presently contemplates that Sheehan's professional services to the Debtor will include, without limitation, advising and consulting with the Debtor and assisting the Debtor in performing its duty to:

- a. consult with any Trustee or any committee concerning the administration of the case;
- b. investigate the acts, conduct, assets, liabilities, and financial condition of the Debtors, the operation of the Debtor's business and the desirability of the continuance of such business, and any other matter relevant to the case or to the formulation of the plan;

- c. formulate a plan; and
- d. prepare any pleadings, motions, answers, notices, orders and reports that are required for the proper function of the Debtor.

Additionally, Sheehan Law Firm, PLLC will perform any and all other legal services for the Debtor that the Debtor determines are necessary and appropriate to faithfully discharge the Debtor's duties as the Debtor-in-Possession in this case.

10. The Debtor believes that the retention and employment of Sheehan to perform these services will materially benefit the Debtor, the Debtor's estate and the Debtor's creditors.

**Sheehan's Disinterestedness**

11. The Debtor has been informed that Sheehan has attempted to determine the past and present involvement, if any, with any party in interest appearing in this case. To the best of the Debtor's knowledge and belief, and as set forth more fully in the Declaration of Proposed Counsel for the Debtor (the "Declaration") to be filed immediately following the filing of this Application, Sheehan has no connection of any kind or nature with the Debtor; except that Sheehan represented the Debtor in certain matters prior to the filing of the Petition. Sheehan has no connection of any kind or nature with Debtor's creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee. Additionally, to the best of the Debtor's knowledge and belief, Sheehan has no other relationship that presently causes a disqualification, an actual conflict of interest, or otherwise renders Sheehan ineligible to serve as counsel for the Debtor.

12. The Debtor has been informed that Sheehan will conduct an ongoing review of its files to assure that no actual conflict or other disqualifying circumstance exists. If any relevant new facts

or relationships are discovered, the Debtor is informed that the Declaration will be supplemented by Sheehan.

13. The Debtor has an immediate need to retain counsel so that the Debtor can take action, formulate a position and file certain motions for relief in this case to keep the Debtor operational. Accordingly, the Debtor seeks to retain Sheehan on an interim basis pending Sheehan's retention on a permanent basis.

WHEREFORE, the Debtor prays for an Order of this Court (I) approving the Debtor's employment of Sheehan as its counsel on an interim and final basis, and on the terms and at the hourly rates set forth herein, and (ii) for such other relief as is proper.

Respectfully submitted,

**SOUTHERN MISSISSIPPI FUNERAL SERVICES, LLC**

BY:

**STEPHEN A. HILTON, Manager/Sole Member**

**PATRICK A. SHEEHAN, Attorney for Debtor**

CERTIFICATE OF SERVICE

I, PATRICK A. SHEEHAN, Attorney for the above listed Debtor, do hereby certify that the following have been served electronically via ECF with a copy of the above application to: United States Trustee at USTPReion05.JA.ECF@usdoj.gov.

This the 17<sup>th</sup> day of August, 2018.

/s/ Patrick A. Sheehan  
PATRICK A. SHEEHAN  
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